

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Lfw



Applicant: **Esmail Behboodi et al.**

Art Unit No.: **1632**

Application No.: **10/731,542**

Examiner: **Unknown**

Filed: **December 9, 2003**

For: **METHOD SYSTEM FOR UTILIZING SEMATIC CELL NUCLEAR
TRANSFER EMBRYOS AS CELL DONORS FOR ADDITIONAL NUCLEAR
TRANSFER**

Attorney Docket Number: **GTC-60**

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**TRANSMITTAL OF SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
WITHIN THREE MONTHS OF FILING APPLICATION OR BEFORE MAILING OF A
FIRST OFFICE ACTION ON THE MERITS (37 CFR 1.97(b))**

1. Authority

Pursuant to 37 CFR § § 1.56 and 1.97-1.99, the Applicant cites to the Examiner documents containing information which, in good-faith judgment of the Applicant, may be relevant to the subject matter claimed in the above-identified application. The Applicant also encloses copies of the English-language cited documents.

In submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, or the extent of any search performed, or that more relevant information does not exist.

In submitting this Information Disclosure Statement, the Applicant makes no representation that any document cited in this Information Disclosure Statement is, or is considered to be prior art as defined by 35 USC § § 102 and 103.

2. Time of Transmittal of Accompanying Information Disclosure Statement

The Information Disclosure Statement transmitted herewith is being filed *after* three

CERTIFICATE OF MAILING (37 CFR 1.8a)

I hereby certify that on March 3, 2006 this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dawn C. Greenaway
Dawn C. Greenaway

months of the filing date of this national application but *before* the mailing date of the first Office action on the merits.

It is Applicant's understanding that no fee is due; however, if the Applicant is incorrect, please charge any necessary fees for the above-captioned application to Deposit Account No. 502092.

3. Communication From A Foreign Patent Office

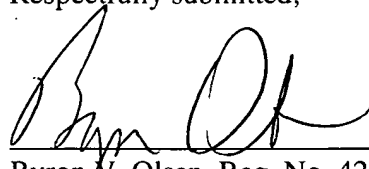
A copy of the European Patent Office Search Report from a counterpart application is enclosed. Legible copies of all items listed in Form PTO-1449 accompany this information statement. Cumulative patents or publications identified in the attached PCT Search Report are not enclosed.

I hereby certify that each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the statement. 37 CFR 1.97 (e) (1).

The Applicant respectfully requests that:

- a. The Examiner consider the cited information in reaching a determination concerning the patentability of the pending claims; and
- b. The enclosed Form PTO-1449 be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application.

Dated: 3/2/2006

Respectfully submitted,

By: _____
Byron W. Olsen, Reg. No. 42,960
Attorney for Applicant
GTC Biotherapeutics, Inc.
175 Crossing Blvd., Suite 410
Framingham, MA 01702
Tel. #(508) 661-8150 Fax #(508) 370-3797

Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

| | | | |
|--------------|----------|-----------|----------|
| Sheet | 1 | of | 2 |
|--------------|----------|-----------|----------|

| | |
|-----------------------------|------------------------|
| Application Number | 10/731,542 |
| Filing Date | December 3, 2003 |
| First Named Inventor | Esmail Behboodi |
| Art Unit | 1632 |
| Examiner Name | |
| Attorney Docket Number | GTC-60 |

[illegible]

| Examiner Initials* | Cite No. ¹ | Foreign Patent Document | | | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | T ⁶ |
|--------------------|-----------------------|-----------------------------|-----------------------|--------------------------------------|--------------------------------|---|---|----------------|
| | | Country Code ³ - | Number ⁴ - | Kind Code ⁵ (if known) | | | | |
| | | WO | 01/19182 | A | 3/22/2001 | | | |
| | | WO | 01/84920 | A | 11/15/2001 | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |

| | | | |
|--------------------|--|-----------------|--|
| Examiner Signature | | Date Considered | |
|--------------------|--|-----------------|--|

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication with applicant.¹ Applicant's unique citation designation number (optional).² See Kinds Codes of USPTO Patent Documents at www.uspto.gov.³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3).⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible.

*Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance completing this form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number

| | | | | | |
|---|---|----|---|-------------------------------|------------------|
| Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i> | | | | Complete if Known | |
| | | | | Application Number | 10/731,542 |
| | | | | Filing Date | December 3, 2003 |
| | | | | First Named Inventor | Esmail Behboodi |
| | | | | Group Art Unit | 1632 |
| Examiner Name | | | | | |
| Sheet | 2 | of | 2 | Attorney Docket Number | GTC-60 |

| OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS | | | |
|---|--------------------------|--|----------------|
| Examiner Initials * | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T ² |
| | | Forsberg, Erik J. Et al., "Production of cloned cattle from in vitro systems," Biology of Reproduction, Vol. 67, No. 1, July 2002, 327-333. | |
| | | Reggio, B C et al., "Cloned Transgenic Offspring Resulting From Somatic Cell Nuclear Transfer in the Goat: Oocytes Derived from Both Follicle-Stimulating Hormone-Stimulated and Non-stimulated Abarroir-Derived Ovaries," Biology of Reproduction, Society For the Study of Reproduction, Vol. 65, No. 5, November 2001, 1528-1533. | |
| | | Walker, S C et al., "A highly Efficient Method fpr Porcine Cloning By Nuclear Transfer Using In Vitro-Matured Oocytes," Cloning and Stem Cells, Vol. 4, No.2., 2002, 105-122. | |
| | | Zakhartchenko, V et al., "Nuclear Transfer in cattle with non-transfected and transfected fetal or cloned transgenic fetal and postnatal fibroblasts," Molecular Reproduction and Development, Vol. 60, No. 3, November 2001, 362-369. | |
| | | Zakhartchenko, V et al., "Effects of Serum Starvation and Re-Cloning on the Efficiency of Nuclear Transfer Using Bovine Fetal Fibroblasts," Journal of Reproduction and Fertility, Vol. 115, No. 2, March 1999, 325-331. | |
| | | | |
| | | | |
| | | | |

Examiner
Signature

Date
Considered

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication with applicant.¹ Applicant's unique citation designation number (optional).² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901/04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance completing this form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.